

ILLINOIS POLLUTION CONTROL BOARD
September 20, 1984

KROHN DEVELOPMENT CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 84-107
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. D. Dumelle):

On August 20, 1984, Petitioner filed a Motion to Supplement the Record and a Motion to Consolidate this permit appeal proceeding with the enforcement proceeding captioned PCB 84-92, Illinois Environmental Protection Agency v. Krohn Development Corporation.

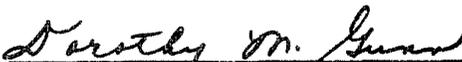
The Board hereby denies both motions.

In the Motion to Supplement the Record, Krohn requests that its response to a March 3, 1984 inspection report be incorporated into the record. The record in a permit appeal proceeding is filed by the Agency and represents the basis of its decision. The Board declines to rule on the completeness of the record filed by the Agency at this time. This issue may appropriately be raised in the hearing.

The Motion to Consolidate is denied because different legal issues are presented and different legal standards are utilized in permit appeals and enforcement proceedings.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 20th day of September, 1984, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board